

**NORTH PARK REDEVELOPMENT  
PROJECT AREA COMMITTEE (PAC)  
REGULAR MEETING MINUTES**

**Tuesday, March 8, 2011**

Birth North Park Theatre, 2891 University Avenue, Suite 1, San Diego, CA 92104

Comments and PAC actions relating to items on today's agenda are noted herein.

**I. ROLL CALL & INTRODUCTIONS**

Don Leichtling, as the senior member, convened the meeting at 6:15 p.m.

<b>Kirsten Clemons</b>	Absent	<b>Judi O'Boyle</b>	Present (6:25)
<b>Patrick Edwards</b>	Present	<b>Lachlan Oliver</b>	Present
<b>Don Leichtling</b>	Present	<b>Robert Steppke</b>	Present
<b>Roger Lewis</b>	Absent	<b>Mark Stern</b>	Present
<b>Valerie Loy</b>	Present	<b>James Tinsky</b>	Present
<b>Lucky Morrison</b>	Present	<b>Mary Wilkinson</b>	Absent

**II. ADOPTION OF AGENDA**

**Motion** (Oliver/Stern): *To adopt the agenda*

**Passed** (8-0-0)

**III. APPROVAL OF MINUTES**

Minutes of February Regular Meeting

**Motion** (Edwards/Morrison): *To adopt the minutes as presented.*

**Passed** (7-0-1) Abstaining: Loy (not present at February Meeting)

O'Boyle came in at 6:25 pm (assumes duties of chair)

Minutes of February Special Meeting

**Motion** (Leichtling/Stern): *To adopt the January minutes with modifications suggested by Oliver and Stern*

**Passed** (9-0-0)

Edwards in favor with the exception of minutes after 1:56pm

O'Boyle in favor with the exception of minutes after 12:30pm

**IV. ELECTED OFFICIALS REPORTS**

None.

**V. PUBLIC COMMENT**

Brandon Cohen asked to be placed on the next agenda for restoration of property at 3794 29<sup>th</sup> Street. He presented at previous meeting, was asked to make revisions, and then asked to be placed on the agenda again. Proposal is for agency assistance (for

structural and exterior improvement) for restoration of historical resource located at 3794 29<sup>th</sup> Street, currently a home but may be used as a home daycare in the future.

Steve Hom, president North Park Historical Society, expressed concerns over fencing off the parking lot where the mini park is planned. Proposal is to fence off the entire lot but the Society hosted a very successful car show there last year and would like to do so again. If the entire lot is fenced off, they may need to move the event, which requires street closures. Hom is seeking clarification of extent of fence enclosure. Lengyel said that the fencing will be at the back of the lot, not entire lot, with bollards at the entrance, and no more parking after May, but management is changing so he is unsure. With management change and possibility of Redevelopment going away, he is unsure as to whether they could enter into an agreement with NPHS for the event. Edwards noted that the whole lot will not be fenced, only the corner portion where the dumpster is. Stern noted that the back area is a hazard to employees, evidence of area being used for drinking and as a toilet and is not conducive to business or public safety so they talked about fencing the section around the building, not the entire lot. The area to be fenced is 5,000 square feet.

Brandon Cohen asked if the Agency could put back up the \$10 sign at the surface lot to encourage people to use the garage rather than the lot, the sign stopped being used last month. Members of the PAC noted that this was a good idea.

Jerry Kwasek with the Shirley Ann Place (SAP) neighborhood would like to thank PAC for service and said that Shirley Ann Place will be withdrawing funding request from the PAC. They received a bid for about \$7,500 to do the job. Permitting was over \$21,000 from the City so to ask this body for \$7,500 for a monument plus \$21,000 for permitting plus another few years to see the environmental implications would be ludicrous and this body may not be here. He's continuing on with this program, and says that the City has plans for Shirley Ann Place and they can use the Spanish Revival look to avoid excessive permitting fees. So with respect to this body, he is withdrawing the request. Oliver thanked him and asked if the PAC could write a letter of recommendation although they're not funding it. Kwasek responded that the PAC could contact Kelly Stanco who is helping with architectural designs and Kathy Wintero with historic preservation.

Brian Walsh, recently acquired property at 30<sup>th</sup> and Adams, last week went to Adams Ave BID to ask for removal of canopy, trash cans, and advertisements that MTS has in front of his property that is hindering his redevelopment of the site. BID gave unanimous approval. He is asking to present to the PAC to also get their approval. Property is on the southwest corner of 30<sup>th</sup> and Adams, from parking lot to corner. Stern asked if it's a commercial lot, Walsh responded it is commercially zoned but could be used for mixed use. There is currently 12 units of residential and 3 commercial tenants he is working with. O'Boyle said to put this on the agenda. Walsh specified that he would like to be on the next agenda, not the one after because he would like to move quickly. O'Boyle noted he needs to go to NPPC as well. Stern asked if he got Notice of Funding, Walsh noted tonight he would just like to be put on the very next agenda. O'Boyle noted for all requests for commercial properties must go through sustainability review. Walsh clarified that he just wants to relocate canopies and have the PAC support to go to MTS and ask for their relocation.

Lynn Elliot re-announced that the NPCA will have a summer concert series and people can contact her with suggestions and that fundraising letters will be sent out in the next few weeks.

Stern wanted to say thank you for the opportunity to be on the PAC as this may be his last meeting.

## **VI. CHAIR'S REPORT**

None as Chair was not present.

Michael Lengyel announced that the Form 700, Statement of Economic Interests, is due April 1, 2011. Steppke noted that the Office is closed March 31<sup>st</sup>.

## **VII. ACTION/DISCUSSION ITEMS**

### **A. Installation of New PAC Members**

Michael Lengyel announced the new PAC Members, Jennifer Litwak and David Cohen. PAC members introduced themselves and gave their background.

### **B. Selection of New PAC Officers**

Tinsky nominated Lewis for position of Chair and a prepared statement from Lewis was read. Leichtling nominated himself for Chair and made a statement. Steppke and O'Boyle made comments regarding the statement from Lewis and his idea to only have 3 items per agenda, Lewis not present to respond. Steppke asked if the PAC could vote for someone with conditions. Lengyel noted that Bylaws state that the Chair sets the agenda, but the PAC could review and make changes to the Bylaws. No other nominations and vote held. Lewis elected. (Lewis 7 – Leichtling 3).

Leichtling nominated himself for Vice-Chair. Oliver nominated Tinsky for Vice-Chair and made a statement. Tinsky accepted the nomination. O'Boyle nominated herself for Vice-Chair and made a statement. No other nominations and vote held. Tinsky elected. (Tinsky 6 – Leichtling 3 – O'Boyle 1).

Oliver nominated himself for Secretary, noting that he wants to redo the Bylaws to make all officers in other positions to first be Secretary. No other nominations and vote held. (Oliver 10-0-0).

### **C. Selection of Replacement Member for Green Subcommittee**

Tinsky as Co-Chair of Green Subcommittee discussed what it is and how it came about. He noted that Stern is leaving the PAC so the Subcommittee is looking for a replacement member. Oliver noted that it is the best way to formalize and organize proposals to the PAC. With no other nominations, Cohen volunteered for the position. By consensus, position was given to Cohen.

### **D. Consideration of Request for Agency assistance to Establish a PROW District on El Cajon Boulevard which would allow the El Cajon Boulevard BIA to permit outdoor seating to small business owners**

Beryl Forman, El Cajon Boulevard BID, presented information regarding establishing a PROW. She noted that North Park Main Street has one and that this one would be for outdoor seating specifically. All restaurants within the BID requesting outdoor seating are in North Park. The establishment is not free through Development Services and the BID Council has approved \$1,000 expenditure. The estimated range is between \$5,000 and \$7,000 to establish the PROW. Tiffany Sherer, BID Council Staff, presented information on other PROWs. She noted that the East Village PROW went through with help from CCDC so there is history of partnering with other organizations. She is currently working with DSD to keep the price as low as possible. Edwards said that currently a restaurant must pay for a permit individually, typically \$5,000, but with a PROW established, the BID can manage fees and receive money directly from businesses. The BID Council has already promised \$1,000, and this request is for up to \$5,000 on an as needed basis.

Clarification was made that this is for temporary encroachment into PROW during the daytime and only for chairs, not the permanent iron gates seen in some areas.

Public Discussion: Lynn asked if this would involve a corral and remain in the evening for the 'not so nice' people that may use the seating in the evening. Edwards answered that there are differences between public and private space in front of businesses, and owners can do what they want with the private space, but in order to encroach into the public space, they must be a part of the PROW.

PAC Discussion: Oliver noted that he hopes for unanimous vote because business owners keep the sidewalks clean when they have outdoor seating and this will make North Park cleaner. Lengyel asked if this is for entire the BID, and noted that the PAC may only be able to cover the portion that is in North Park, which is about half of the BID District. Forman said that the request is for the entire BID. Edwards noted that PROW will also apply to food trucks and that they must be a member of the BID and pay fees. Leichtling noted that previous discussion has been to put requests for money in the queue but this is being presented for the first time and will be voting. Steppke noted that he likes the idea and it's a new opportunity to expand onto the sidewalk and get more people onto the street to enjoy and benefit the public corridor. He thinks at \$5,000 max it's a good investment. Morrison brought up examples of businesses with outdoor seating owned by PAC members Oliver and Cohen. Stern added that it would be good to have more detailed information ahead of time, but criteria for sustainability review is specifically for commercial loans and this is not setting the precedent that the PAC is swaying back and forth on hearing and voting on money. Comment was made that this is in the public ROW so it falls into the tax exempt bond category which is a different funding source. It involves improvements and its public property so this works around sustainability criteria. Question was asked about how to deal with increased occupant loads for restaurant parking wise. Forman answered that it's so small per business that the impact to the community is pretty small and gave examples of La Jolla and Ocean Beach implementing it without problems. O'Boyle ended discussion.

**Motion** (Edwards/Oliver): *To support the request up to \$5,000 but prorated for the portion of the BIA that is within PAC jurisdiction*

Discussion: Cohen concerned about pro ration and would like to not have it in the motion. Edwards said that it has to be in there, the PAC cannot give money outside of the district.

**Passed** (10-0-0) Opposed:

#### **E. Consideration of Having a Special PAC Meeting for Redevelopment 101 Training and Presentation of PAC Policies and Objectives**

Lengyel noted that in the last few years it has been in May but it could be in April. He gives the Redevelopment 101 training going over policies and objectives and this is for rescheduling if the PAC wants to have another one. Last year it was on a Saturday.

Public Discussion: None.

PAC Discussion: O'Boyle asked if on Thursday we would know if Redevelopment would still be here and Lengyel noted that the PAC would still be here in April or May and would probably still have a role to play if redevelopment were eliminated as there is a cooperation agreement with the City. O'Boyle asked if the training would change, and Lengyel responded that the training has a portion that focuses on status of redevelopment.

**Motion** (Cohen/Tinsky): *To have training for new PAC members in April*

Discussion: None.

**Passed** (10-0-0) Opposed:

## **VIII. SUBCOMMITTEE/LIAISON REPORTS**

### **A. Maintenance Assessment District (MAD)**

Steppke reported that the MAD did not meet.

### **B. Project Area Improvements**

Leichtling noted that the architect was found for Boundary Street improvements. O'Boyle noted that Wilkinson expressed concern in writing regarding cost issues. Lengyel and Leichtling did not receive it and Lengyel asked if she could forward it. Leichtling said that there were additions to the work list and the cost jumped, and they are currently trying to figure out how these increases were added. They have not yet met with the architect, KTU+A, contracting under RBF.

Discussion of Mayor's veto rights on project priority list. Lengyel clarified that it is not for projects above \$250,000. O'Boyle asked if there is a deadline for City Council approval, and Lengyel said that projects not on the Cooperation Agreement would probably need to go to Council before July. Lengyel also added that nothing has been routed to the Mayor or City Council without PAC recommendation.

### **C. North Park Community Plan Update**

Steppke reported that the last meeting was a recap of previous meetings regarding priorities in different areas and a list was given to rank these. Staff is looking at them and there are still copies that people can fill out. No meeting in March, but will reconvene in April and try to bring citizens together. There is a meeting Saturday, March 19<sup>th</sup> looking at conservation districts for Golden Hill, North Park, and Uptown from 9am to 12pm, North Park possibly at 10:25am. Steppke clarified that staff had a meeting with Chairs about a month ago about whether they should have forced conservation or historic districts and consensus was that it should be up to the different areas if they want to be in or not. This meeting is to get public input on this matter. O'Boyle explained that the idea behind a conservation district is that it can be a historic district but it doesn't have to be, it could be unique. Idea is that there is no Mills Act attached, and it puts restrictions on redevelopment and demolitions in the area.

### **D. Green/Sustainability Initiatives**

Tinsky reported there was a meeting whether or not to put out the proposal, they wanted to clarify parameters, and this was mailed out to the PAC.

### **E. Multi-Family Development**

Stern reported that a new Chair needs to be appointed if the subcommittee is to continue. Lengyel reported that there is still a role to play and the position should be filled. Stern noted that Leichtling has had a lot of good input. Chair appointment is going to be put on the next agenda. Leichtling explained for new members what the program is.

## **IX. STAFF REPORTS/PROJECT UPDATES**

### **A. Update on the Potential Effect of the Governor's Budget Proposal on Redevelopment**

Lengyel gave update that the Governor's proposal to eliminate redevelopment has come forward and it would be as of July 1 with idea that statewide \$1.7 billion could be taken to cover the State budget this year and then in future years what was tax increment would go back to more local levels, like the county. The Governor asked for a decision from the Legislature by Thursday March 10. He is expecting a vote on Thursday but the Governor's not getting support from Republicans to put tax extension on ballot and they put forward a compromise of reforming redevelopment rather than elimination. There is negotiation to get this on the ballot and a vote is needed by the end of this month to get on the ballot, so it may not happen. For the short term we may not be eliminated but in the long term there will be bigger hole in the State budget so it could be worse. Legal opinion regarding Prop 22 is saying that elimination of redevelopment may be okay but his transfer of funds to the State level may violate Prop 22. As of now, we think the vote is for elimination as of July 1, with obligations through June, but could bring forward a direct action to eliminate with no new obligations. Language right now is that any action since January will have an extended period of "lookback" or review, but they are obligations. A Cooperation Agreement was entered into based on the project list, but to the extent that there's an impact on the general fund, it may not come forward even if the project has priority. Lengyel also stated that he got the loan agreement with Wang's and the City may be assuming the agreement using Agency funds. To the extent that redevelopment is not eliminated, there will probably be some reforms. The property at 3067 University Ave. could go to real estate assets for management, and the preference would be the same developer but the City may follow other rules. The Agency is moving forward to get an ENA to make it an obligation, but it's still being negotiated. Edwards asked if there was talk of areas going away because of them being no longer blighted; Lengyel said that there is discussion but not sure to what extent.

### **B. Status on the Cooperation Agreement between the City of San Diego and the Redevelopment Agency**

Lengyel stated that it is a standing agreement and we would seek to honor that even if redevelopment goes away. Also noted that Maureen is taking the lead on the new parking garage management and she is moving forward based on the recommendation made.

## **X. REQUESTS FOR NEXT AGENDA**

- A.** Appointment of MAD Representative
- B.** Election of Multi-Family Development Subcommittee Chair
- C.** 3794 29<sup>th</sup> Street Request for Agency Assistance
- D.** Date for Redevelopment 101 Training
- E.** Letter of Support to go to MTS and request relocation of canopies

## **XI. ADJOURNMENT**

**Motion** (Leichtling/Litwak): *To adjourn*

**Passed** (10-0-0) Opposed: